

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Dino Antolini,

Plaintiff,

-against-

Amy McCloskey, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/29/2020

1:19-cv-09038 (GBD) (SDA)

ORDER SCHEDULING
TELEPHONE CONFERENCE

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

Before the Court is Plaintiff's motion for reconsideration (ECF No. 41) of that portion of the Court's Order of June 10, 2020 which granted Defendants leave to serve no more than ten interrogatories upon the Plaintiff addressed to the "fraud on the court" allegations discussed during the June 10 telephone conference. "[T]he standard for granting [a Rule 59 motion for reconsideration] is strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked." *Analytical Surveys, Inc. v. Tonga Partners, L.P.*, 684 F.3d 36, 52 (2d Cir. 2012) (citation omitted). Because the Court finds that Plaintiff has not met this strict standard, his motion for reconsideration is DENIED.

Notwithstanding the foregoing, the Court finds that certain of the interrogatories served by Defendants (see ECF No. 41-3) impinge on the attorney-client privilege. Interrogatory Nos. 2, 3, 4 and 9 are stricken and Plaintiff shall not respond to those interrogatories. In place of Interrogatory No. 9, Plaintiff shall respond to the following interrogatory instead: "Prior to the filing of the Complaint in this Action, did you communicate with Stuart H. Finkelstein related to this Action?"

To the extent that Defendants seek relief from the Court (*see* ECF No. 42), they shall do so by properly filed Letter Motion pursuant to the Court's Individual Rules. Plaintiff's counsel is directed to promptly meet and confer with Defendants' counsel with respect to the initial disclosures and endeavor to reach a compromise.

SO ORDERED.

DATED: New York, New York
June 29, 2020

A handwritten signature in black ink, appearing to read "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge